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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,753	09/28/2001	Joseph L. Gargiulo	F-299	2985

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EXAMINER

CHEUNG, MARY DA ZHI WANG

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 02/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/965,753

Applicant(s)

GARGIULO, JOSEPH L.

Examiner

Mary Cheung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.

- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 23 is objected to because of the following informalities: in ordering to avoid the duplicated content with claim 25, claim 23 should depend on claim 19, not claim 22. For examination purpose, claim 23 is considered to depend on claim 19. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 5-6, 10, 14-15, 19 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels, et al., U. S. Patent 4,556,944 in view of Dietz, U. S. Patent 6,175,820.

As to claims 1, 10 and 19, Daniels teaches a postage metering system for dispensing postage, a method of operating a postage meter system for printing a message, comprising (abstract and column 2 lines 45-48):

- a) A voice recognition system for receiving a voice message (column 3 lines 27-32 and Figs. 1-2);
- b) A printer module for printing on a recording medium (column 2 lines 45-48 and column 3 lines 21-26);

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- c) A control system in operative communication with the voice recognition system and the printer module (column 3 lines 13-15 and Figs. 1-2; *specifically, "a control system" corresponding to the main processor in Daniels' teaching*);
- d) The control system for: translating the voice message into a computer based text; and printing a print message from the computer based text using the printer module (column 2 lines 45-48 and column 3 lines 40-54).

Daniels does not specifically teach operating a telephone answering machine, and the voice message received by the voice recognition system is received from a modem that receiving an incoming telephone call and storing a voice message associated with the telephone call. However, Dietz teaches operating a telephone answering machine receiving a voice message from an telephone call via a modem, and storing the voice message associated with the telephone call, and translate the voice message into a computer based text (column 4 lines 10-55 and column 6 lines 11-17 and Figs. 1-3B; *specifically, "a telephone answering machine" corresponds to the voice recognition system, such as item 15 in Fig. 1, item 303 in Figs. 3A-3B*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the voice recognition system in Daniels' teaching to include a telephone answering machine, and a modem for receiving an incoming telephone call and storing a voice message associated with the telephone call because this would expand the usage environments of the voice recognition system by recognizing the voices received from telephone calls and attract more people to use the postage metering system of Daniels.

As to claims 5, 14 and 23, Daniels teaches the control system in the postage metering system is further for establishing printing parameter set by an operator of the postage metering system (column 2 lines 45-48 and column 3 line 61 – column 4 line 2). Daniels does not specifically teach the control system is for parsing the computer based text to create special print characteristics within the print message to highlight critical data in response to a previously established parsing parameter set by an operator of the postage metering system. However, Dietz teaches a control system for parsing the computer based text to create special characteristics within the print message to highlight critical data in response to a previous established parsing parameter set by an operator (column 4 lines 65 – column 5 line 64 and column 6 lines 8-23 and column 7 lines 1–41). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the control system in Daniels' teaching to include a feature of parsing the computer based text to create special print characteristics within the print message to highlight critical data in response to a previously established parsing parameter set by an operator as taught by Dietz because this would allow the important content within the print message to be prominent to the message reader, thus the message reader can faster and easily to understand the message.

As to claims 6, 15 and 24, Daniels modified by Dietz teaches creating special printer characteristics in response to a previous established parsing parameter as discussed in claim 5 above. Dietz gives examples of the previous established parsing parameter, such as volume level, word distance in time, etc. (column 7 lines 12-25). Daniel modified by Dietz does not explicitly teach the previously established parsing

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parameter is names. It would have been obvious to one of ordinary skill in the art to allow the teaching of Daniels modified by Dietz to include the feature of the previous established parsing parameter comprising names so that the names in the print message would be prominent to the message reader, and attract the users with particular needs for emphasis on name printings within the print messages to use this postage metering system.

4. Claims 2-3, 11-12 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels, et al., U. S. Patent 4,556,944 in view of Dietz, U. S. Patent 6,175,820 in further view of Kulpa et al., U. S. Patent 4,744,554.

As to claims 2, 11 and 20, Daniels modified by Dietz teaches a postage metering system translating a voice message into a computer based text, and printing the computer based text as discussed in claim 1 above. Daniels further teaches the control system in the postage metering system is further for initiating printing of the print message in response to a previous established print parameter set by an operator of the postage metering system (column 2 lines 45-48 and column 3 line 61 – column 4 line 2; *specifically, “a previous established print parameter set” corresponding to the specific key words that the voice recognition unit is trained to recognize in Daniels’ teaching*).

Daniels modified by Dietz does not specifically teach the postage metering system further comprising an input hopper for holding a stack of recording media, and a transport module for feeding the recording medium one at a time from the stack downstream in a path of travel past the printer module; and wherein the control system

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is further for automatically feeding the recording medium from the input hopper.

However, Kulpa teaches a postage metering system that is well known in the prior art, comprising an input hopper for holding a stack of recording media, and a transport module for feeding the recording media serially (one at a time) from the stack downstream in a path of travel past the printer module, and automatically feeding the recording medium from the input hopper for printing (column 1 lines 9-23). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the postage metering system of Daniels modified by Dietz to include the features of an input hopper for holding a stack of recording media, and a transport module for feeding the recording media one at a time from the stack downstream in a path of travel past the printer module, and automatically feeding the recording medium from the input hopper for printing as taught by Kulpa for fast feeding and printing the messages on the recording medium.

As to claims 3, 12 and 21, Daniels teaches the previously established print parameter is automatic printing in response to receipt of the voice message (column 2 lines 45-48 and column 3 line 61 – column 4 line 2).

5. Claims 4, 7-8, 13, 16-17, 22 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels, et al., U. S. Patent 4,556,944 in view of Dietz, U. S. Patent 6,175,820 and Kulpa et al., U. S. Patent 4,744,554, and in further view of Doeberl et al., U. S. Patent 5,310,128.

As to claims 4, 13 and 22, Daniels modified by Dietz and Kulpa teaches a postage metering system translating a voice message into a computer based text, and

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printing the computer based text on a recording medium. Daniels modified by Dietz and Kulpa does not explicitly teach the recording medium is a strip tape. However, Doeberl teaches printing information on a strip tape (abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the recording medium of Daniels modified by Dietz and Kulpa to be a strip tape because this would expand the usage environments of the postage metering system and attract more people with various types of recording medium to use the postage metering system.

As to claims 7, 16 and 25, Daniels modified by Dietz, Kulpa, and Doeberl teaches the control system in the postage metering system is further for establishing printing parameter set by an operator of the postage metering system as discussed in claim 4 above. Daniels does not specifically teach the control system is for parsing the computer based text to create special print characteristics within the print message to highlight critical data contained within the voice message in response to a previously established parsing parameter set by an operator of the postage metering system. However, Dietz teaches a control system for parsing the computer based text to create special characteristics within the print message to highlight (i.e. bold printing) critical data contained within the voice message in response to a previous established parsing parameter set by an operator (column 4 lines 65 – column 5 line 64 and column 6 lines 8-23 and column 7 lines 1–41). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the control system in Daniels' teaching to include a feature of parsing the computer based text to create special print characteristics within the print message to highlight critical data contained within the

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voice message in response to a previously established parsing parameter set by an operator as taught by Dietz because this would allow the important content within the print message to be prominent to the message reader, thus the message reader can faster and easily to understand the message.

As to claims 8, 17 and 26, Daniels modified by Dietz, Kulpa, and Doeberl teaches creating special printer characteristics to bold print the special characteristics in response to a previous established parsing parameter as discussed in claim 7 above. Dietz gives examples of the previous established parsing parameter, such as volume level, word distance in time, etc. (column 7 lines 12-25). Daniels modified by Dietz, Kulpa, and Doeberl does not explicitly teach the previously established parsing parameter includes names as critical data. It would have been obvious to one of ordinary skill in the art to allow the teaching of Daniels modified by Dietz, Kulpa, and Doeberl to include the feature of the previous established parsing parameter comprising names as critical data so that the names in the print message would be prominent to the message reader, and attract the users with particular needs for emphasis on name printings within the print messages to use this postage metering system.

6. Claims 9, 18 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels, et al., U. S. Patent 4,556,944 in view of Dietz, U. S. Patent 6,175,820 and Kulpa et al., U. S. Patent 4,744,554 and Doeberl et al., U. S. Patent 5,310,128, and in further view of McCutcheon et al., U. S. Patent 6,161,007.

As to claims 9, 18 and 27, Daniels modified by Dietz, Kulpa, and Doeberl teaches a postage metering system translating a voice message into a computer based text, and

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printing the computer based text as discussed above. Daniels modified by Dietz, Kulpa, and Doeberl does not specifically teach the postage metering system further comprising: a clock module for supplying real time clock data to the control system; and wherein the control system is further for: creating header information associated with the voice message, the header information including a date/time stamp, a duration indication and a message number indication; and printing the header information with the print message. However, McCutcheon teaches a telecommunication system comprising a clock module for supplying real time clock data to the control system (column 3 lines 54-55 and column 5 lines 33-36); wherein, the control system creates header information associated with the voice message, the header information including a date/time stamp (column 3 lines 61-67 and column 4 lines 29-65); and printing the header information with the print message (column 3 lines 29-65 and column 5 line 61 – column 6 line 3 and Fig. 5). McCutcheon does not explicitly teach the header information including a duration indication and a message number indication. It would have been obvious to one of ordinary skill in the art to allow the header information in McCutcheon's teaching to include a duration indication and a message number indication because these features embedded in the header information would allow the message reader to better identifying and organizing the message. It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the teaching of Daniels modified by Dietz, Kulpa, and Doeberl to include the features of a clock module and printing the header information associated with the voice message as

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taught by the modified teaching of McCutcheon because these would allow the message reader to better identifying and organizing the message.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Taylor et al. (GB 2 178 696 A) discloses a postage metering lock-out security system for use with electronic postage meters operates in conjunction with a users computer and printer that prints postal value.

Inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Cheung whose telephone number is (703)-305-0084. The examiner can normally be reached on Monday – Thursday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached on (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

The fax phone number for the organization where this application or proceedings is assigned are as follows:

(703) 872-9306 (Official Communications; including After Final
Communications labeled "BOX AF")
(703) 746-5619 (Draft Communications)

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, 7th Floor Receptionist.

Mary Cheung
Patent Examiner
Art Unit 3621
January 15, 2004

